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THE JOURNAL,
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PAGES 9 TO 16.

THE JOURNAL.

THURSDAY, APRIL 30, 1896.—SIXTEEN PAGES.

THE SKY LINE

of New York, a handsome picture
of interest to everybody, beautifully
lithographed, with next Sunday's
Journal. Order to-day.

PAGES 9 TO 16.

THE TRANSFORMING OF MARIA BARBERI.

A Dull Animal, Sent to Sing
Sing to Die, Returns a
Human Being.

Marvels, Wrought by a Patient
Woman, Arouse the Wonder
of Many Visitors.

First Reception Day in the Tombs
of the Little Italian Who Must
Be Tried Again.

PATHEPIC LETTER TO MRS. SAGE.

Proud of Her English and of Her Writing
and Full of Gratitude to Her Bene-
factresses and "to All the
Kind World."

Maria Barberi was the one girl who, hav-
ing murdered her betrayer, was not writ-
ten of as pretty or beautiful. Artists in
words and artists in lines described her
as heavy featured and dull to the point
of stupidity. Convicted of killing Dom-
nico Cataldo, the bootblack who laughed at
and taunted her when she insisted on mar-
riage, this stupid but passionate creature
was taken to Sing Sing under a sentence
of death.

She is back in the Tombs now, awaiting
a new trial, and looking forward hope-
fully to a better fate than an electric chair.
She is no longer stupid. A wizard has
stirred the depths of her mind and awak-
ened her brain to life. The least of the
miracles is that in nine months she has
learned English. The greatest is she has
acquired the highest of all virtues—grati-
tude.

The repulsive, lowering expression has
vanished. There is a pathetic softness in
the eyes. The dull animalism of her men-
tal attitude has given place to quick in-
telligence. She is not yet a woman, but
she is at least a human being—a child with
possibilities of growth. And she grew to
this height waiting, under the care of
Warden Sage's wife, for death. Mrs. Sage
was the wizard, and all who saw Maria
yesterday marvelled at the change which
had been wrought.

RECEPTION AT THE TOMBS.
Yesterday was reception day at the
Tombs. From early morning, when her
first visitor, her mother, was admitted to
see her, until night, she was receiving
practical demonstration that she was not a
friendless wail. There were few redeeming
features about the cell where Maria re-
ceived her guests. On the table opposite
the great door that swung open to admit
them, there is a crucifix of black and silver.
Beside it lay Maria's prayerbook, a well-
thumbed volume carefully protected against
damage by a red calico cover. At the end
of the long, barred window stood the
severe little trundle bed. A wardrobe, a
washstand and a couple of chairs com-
prised its furnishings.

Maria's mother arrived as soon as the
doors were open for visitors. It was quite
noon before the matron and the other
female functionaries could speak of the
meeting without suspicious breakings of
the voice and catchings of the breath. The
two impulsive women clasped each other
and went together, talking in their rapid,
soft Italian. Maria was particularly in-
terested in the state of the bird, Clelio.
It was the pet given her by the Countess
di Brazza at Sing Sing. She brought it
down with her on the train Tuesday, and
in the evening it was sent to her mother's
house for care.

MRS. SAGE'S CALL.
The next visitor was the woman who has
done most for the child woman—the woman
who had awakened her mind and had taught
her the decencies of living. Warden Sage's
wife and her niece came to the city from
Sing Sing to shop yesterday and they ran
into the Tombs. The imprisoned girl was
fairly hysterical with joy on seeing Mrs.
Sage and kissed her hands again and again.
Maria had written a letter to Mrs. Sage
and she put it in her hand. The letter was
in large, labored hand of a child, and



Maria Barberi's Reception at the Tombs.

She was brought from Sing Sing Thursday night for a new trial. For nine
months she had been in a condemned cell awaiting call to the electric chair. Dur-
ing that time the wife of Warden Sage taught her to speak and write English
and made a new woman of the little murderess. Mrs. Sage, her niece, Maria's
mother, and many friends visited the girl in her cell yesterday.

totally undeserved goodness on their part.

When questioned about her future, if she
is allowed to go free or escapes with a very
light sentence, Maria is at sea. Her broken
English is more halting than ever.

"Would you go back to Italy, Maria?"
asked one of the callers yesterday.

Maria's childish eyes clouded.

"I know not," she said helplessly. "I
know not." Then her face brightened as if
she had solved the problem.

"When I go back into the world," she
said, "I go where my mamma tell me."

That was somehow a very pathetic thing
for a woman in Maria Barberi's position to
say.

She always refers to her mother by the
soft diminutive.

What Maria's chances are is a subject
viewed differently by Assistant-District
Attorney McIntyre, and Friend & House,
who are her attorneys.

HER PROBABLE FATE.

Some of the women who sympathize with
the Italian girl, have had an idea that she
might never be released on bail, and the case
might never be brought to trial. But Mr.
McIntyre disposed of that theory.

"She must be convicted," he said. "The
evidence leaves no doubt of her guilt. She
may, not, this time, be convicted of murder
in the first degree, but I believe that she
will be convicted of some degree of homi-
cide."

Mr. Friend's views were naturally of a
different order.

"We expect her acquittal if the case comes

to trial," he said. "In view of the cause
she had for her deed, of the popular sym-
pathy which has been aroused in her favor,
and of her terrible suffering for nearly a
year now, with the prospect of the electric
chair before her, it would not seem to us
a remarkable thing if the District At-
torney simply declined to prosecute."

A CLERGYMAN LECTURED.

Justice Pryor told Rev. Mr. Hoebel that
He Was Guilty of Aiding and Abet-
ting Bigamy.

Rev. Henry Hoebel, of No. 207 East Eighty-
third street, was ruled soundly by Justice
Pryor, in the Special Term of the Supreme
Court, yesterday because he had performed
a marriage which is alleged to have been
bigamous. The matter came up on Charles
Schneider's application for an absolute di-
vorce from Josephine Schneider. When the
Schneiders were married in 1891, she was
a widow and he was a widower. Soon af-
ter Mrs. Schneider left her husband and
was married to Charles Ziegler by Mr.
Hoebel. Justice Pryor, on hearing this
statement, asked:

"What! Do you mean to say they went
through a ceremonial marriage?"

"I do," said Edward Ziegler. At this
Justice Pryor exclaimed:

"I will have to stop this bigamy some-
way. I am going to send this case to the
District Attorney for investigation."

Rev. Mr. Hoebel had been commanded to
appear and testify. When Mr. Hoebel had
admitted that Mrs. Schneider's alleged il-
legal marriage to Ziegler was performed by
him, Justice Pryor said, sternly:

"Well, you have aided and abetted big-
amy in this instance. You clergymen ought
to be more careful in performing marriage
ceremonies. This is at least the sixth
case that has been called to my attention
in two months where bigamy has been com-
mitted deliberately. It is outrageous that
ministers of the Gospel should not examine
the witnesses and principals to marriages
before performing ceremonies."

Schneider was granted a decree of di-
vorce.

Justice Stover, of the Supreme Court,
yesterday granted to Alice Jacoby an ab-
solute divorce from Joseph Jacoby, a com-
mercial traveler. Joseph Steiner swore
that he and the defendant had left a ball-
room with two young women, and Mrs.
Jacoby being out of town, that the whole
party had stayed at Jacoby's flat.

Mary E. Farr, of No. 426 Lincoln place,
Brooklyn, asked for a divorce from George
L. Farr, on the ground that for the past
three years he had been living with another
woman in Jersey City under the name of
George L. Harrison.

Moses B. Fertig's evidence in his suit for
divorce from Sarah Fertig was so flimsy
that Justice Truax threw the case out of
court.

Though only sixteen years of age, Harriet
B. Peddie has lost all love for her twenty-
three-year-old husband, John W. Peddie, a
law student. Yesterday she got an abso-
lute divorce from him. They were married
in September and separated in February.

Miss Drouillard is a Countess.

Nashville, Tenn., April 29.—The marriage
of Bernard Alexander Edmond, Comte de
Pourtalos, of France, and Miss Florence
Drouillard, of this city, took place here
last night. The bride belongs to one of
the distinguished families of the South,
while the groom is a descendant of one of
the most aristocratic families in France.

JEWELLED PRIZES A LURE FOR A THIEF.

Champion Sweeney's Medals
Bravely Defended by His
Sister-in-Law.

Knocked Down with the Butt of a
Revolver and Kicked into
Unconsciousness.

NONE OF THE TROPHIES TAKEN AWAY.

Lucky Pranks of Children Save the High
Jumper About \$5,000 Worth of Me-
mentos of His Prowess—The
Thief Still at Large.

The collection of diamond medals and gold
and silver trophies that were won by
Michael Sweeney, the ex-amateur champion
high jumper, attracted a clever and daring
sneak thief to Sweeney's apartments at No.
72 Charles street, Tuesday afternoon. When
interrupted in ransacking the place by Mrs.
Christina Regan, a sister-in-law, of the
athlete, the thief beat her with the butt
end of a revolver until she was unconscious.
Leaving his victim lying on the floor of the
hall, the thief proceeded to gather together
the trophies, and a quantity of clothing
the athlete, was disturbed by the repeated
ringing of the bell. He then disappeared
over the roof, taking with him \$78 in money
and leaving the other booty behind.

Sweeney lives on the top floor of the
house with his sister-in-law and her hus-
band. A short time ago he went to Pott-
stown, Pa., to act as athletic instructor in
the High School, and left his medals and
cups with Mrs. Regan. The collection in-
cluded the diamond studded gold medal
won for high jumping at the tournament
between the teams of the London and the
New York Athletic clubs, at Manhattan
Field last year, and is worth about \$1,500.
The entire collection is valued at about
\$5,000.

About 10 o'clock Tuesday forenoon Mrs.
Regan received a call from a well-dressed
man, with a black mustache, who told her
that he had come for "Mike's" medals. She
informed the man that Mr. Sweeney was
not at home, and that she knew nothing
about the medals.

"I know Mike is away," said the stranger,
"but doesn't he keep his medals here?"

Mrs. Regan told the stranger to call
again when Mr. Sweeney would be at home,
and he went away. About 4 o'clock in the
afternoon she went to sleep on a couch
in the dining-room. She slept for prob-
ably half an hour, when she was awakened
by a noise in the parlor. She ran through
the private hall and was met by the man
who a few hours before had called on her,
and questioned her about the medals. Be-
fore she could make an outcry, the man
struck her in the face with the butt end
of a revolver, and as she was falling struck
her over the right temple. Mrs. Regan
fell to the floor, and as she attempted to
rise the man kicked her in the abdomen,
rendering her unconscious. He was fright-
ened away by children ringing the door-
bell.

At 6 o'clock when Mr. Regan returned
home from work he was unable to get into
his apartments. The door was forced, and
a few feet away he found his wife, still
unconscious. Her wedding ring had been
torn from her finger, but was found with
the other valuables the thief left. The
police think they know the fellow.

DOES NOT KNOW HIS AGE.

Long Island City Policeman Charged with
Swearing Falsely with Regard
to it.

Ambrose Clancy was recently appointed a
member of the Long Island City police
force. He swore he was only thirty-five
years of age so as to be eligible.

Joseph Cassidy, a politician and a San-
ford partisan, yesterday got a warrant for
the arrest of Clancy on a charge of per-
jury. He says the policeman is forty-four
years old. Clancy says he gave his age as
correctly as possible. He does not know
just how old he is.

LEVY IS SANE, BUT STILL A PRISONER.

Man Who Loved Hopelessly
Fourteen Years Must
Fight for Liberty.

Mrs. Harriet Lehman's Lawyer Says
the Jurors Were Coerced
by the Justice.

ONE CHARGED WITH MISCONDUCT.

De Lancey Nicoll Appeals to Justice
Smythe to Set the Verdict Aside So
That Levy May Be Kept
in Confinement.

A jury said Daniel Levy was sane. That
was seven days ago. Levy is still a pris-
oner in the Ward's Island Insane Asylum,
and his lawyers, Holm & Smith, do not
know when he will be released.
Levy loved Mrs. Harriet Lehman, with
whom he had no acquaintance, and who
had never encouraged him during the four-
teen years he pursued her with unwel-
come attentions. De Lancey Nicoll, who
represented Mrs. Lehman during the recent
inquiry into the sanity of Levy, claims
that the jury would have found the hope-
less but persistent lover insane had it not
been coerced by Justice Freedman. Mr.
Nicoll on Monday asked Justice Smyth
to order Levy's attorneys to show cause
why the verdict should not be set aside.
His affidavit contained this quotation from
Justice Freedman's charge to the jury:

"Now, gentlemen, this case was fully
tried once before, and the trial went for
nothing, because the jury shirked its duty
and failed to agree. It will have to be tried
again, to this great inconvenience and an-
noyance of all parties interested, and at a
sacrifice of other public interests, unless
you reach an agreement. It is your duty,
therefore, to agree, if possible, and I beg
you not to shirk your duty."

"The jury were locked up all night,"
Mr. Nicoll says, "because of their inability
to agree, and, in the morning at 10:30 were
brought into court. The clerk thereupon
inquired if they had agreed upon a verdict.
The foreman answered that they had not,
and they did not believe that they could.
The learned Justice then said: 'This case
presents no greater difficulty than any
other case where the facts are complicated
and where there is a conflict of evidence.
I consider it my duty to send you back for
further deliberation.'"

"These observations were uttered in an
angry and impatient tone, showing the
strong disapprobation of the Court toward
the jury for not having agreed."

Later the jury returned this verdict:
"We find Daniel Levy is not sufficiently in-
sane at the present time to be confined.
He must be kept under bonds to guarantee
he will commit no overt act during the
time to be specified by the Court."

The Court replied: "Gentlemen of the
jury, you have nothing to do with that
question. You go back to your room and
continue your deliberations. It is your
duty to find whether he is sane or insane,
and you have nothing to do with bonds;
that is a question for the Police Magis-
trate when he is next arrested."

The jury thereupon retired. Soon after
that it sent another communication to the
Court:

"Can the jury bring in a verdict that
will find Daniel Levy's insanity of so mild
and inoffensive a type as to be harmless,
and that, therefore, he should not be kept
in confinement?"

Upon receipt of this communication, the
Court sent for the jury and said:

"If you are of that opinion, under my
charge, you will find he is sufficiently
sane."

The foreman: "Then we find him sane."
All this Mr. Nicoll says constitutes the
evidence of which he complains, and he adds:

"Since I began preparing this affidavit
facts have been brought to my knowledge
concerning the gross misconduct of one of
the jurors during the trial, which led me to
believe he was approached; that he re-
ceived information and evidence concern-
ing the case and the petitioner during the
trial, out of the court room, and that he
was thereby prejudiced and improperly in-
fluenced. I am in the course of preparing
the proofs on this point, and I request the
privilege of serving additional affidavits
before the argument of this action."

Holm & Smith are at the charges and at
the propositions of Mr. Nicoll that a
Justice who never heard the evidence and
is of co-ordinating jurisdiction with the trial
Judge can set aside the verdict. They
add:

"The confinement of the insane is gener-
ally upon the request of some loving friend
or relative or upon the part of the State
for the protection of society or the person
himself, and, in the latter case, the State
has no right to confine a mild and harmless
case of insanity because of a possibility of
his dangerous character, for the confine-
ment of one who is liable to outbreaks of
passion would be as justifiable. But the
Levy case is one of those few cases where
a sane person has been confined in an
asylum at the instance of a private party
for ninety days, and is still confined after
a jury of his peers have declared him
sane."

To-day Levy's lawyers will ask Justice
Smyth to adjourn the hearing on the
ground that they only received Mr. Nicoll's
affidavits yesterday, and need time to pre-
pare their answer.

TEN CENT STAMP SELLS FOR \$4,400.

W. A. Castle, a Private Collector,
Pays That for a "Balti-
more Provisional."

Only Specimen of Its Series in Ex-
istence So Far as Phila-
telists Know.

WAS DISCOVERED IN LOUISVILLE.

St. Louis Dealers Pay an Indefinitely Large
Sum for It to the Finder and Trans-
fer It to Castle—Other High-
Priced Stamps.

W. A. Castle, doing business in this city
and residing in Springfield, Mass., has paid
\$4,400 for a postage stamp. It is the
largest price recorded that a stamp has
brought. In the language of philatelists,
the stamp is known as a "ten-cent provi-
sional Baltimore." The only other ten-
cent Baltimore provisional is a poor spec-
imen, printed on bluish paper, and par-
tially obliterated. It is held by its owner
at \$2,000. Mr. Castle's stamp is a
perfect specimen of another series, printed
on white paper. It is still affixed to the
envelope on which it was originally pasted.
Philatelists are not surprised at the
price. The stamp may fetch more at suc-
ceeding sales. Mr. Castle, in talking about
it in his office, No. 41 Park Row, yester-
day, said:

"I paid \$4,400 for the stamp to McKee &
Co., of St. Louis. There is no doubt about
its authenticity. It was discovered by a
man named Duncan, who found it among
the letters of an old lawyer in Louisville,
Ky. The price Duncan got for the stamp
will keep him comfortably for a year or
two."

"Among other rare stamps in my posses-
sion are a Brattleboro provisional, and the
first two plates of the St. Louis provisional.
I have also another great rarity in an An-
napolis provisional envelope, which up to
this time I secured it was not even known
to have been printed. The value of that, how-
ever, is not as great as the value of my ten-
cent Baltimore."

The provisional stamps, of which the new
Baltimore discovery is an excellent
example, were issued by the postmasters of
Baltimore, Brattleboro, Millbury, New
Haven, New York, Providence, and St.
Louis, several years previous to the regu-
lar issue of stamps by the United States
Government. They all fetch high prices to-
day. The Millbury five-cent stamp, of
which several specimens exist, are cata-
logued at \$1,200. Two issues of Baltimore
five-cent stamps of 1840 are catalogued at
\$400 and \$500, respectively. Several of
these provisionals were ornamented with
designs, but the Baltimore five-cent con-
tained the printed words, "Baltimore" and
"five cents," top and bottom, with the
signature of the Postmaster, James M.
Buchanan, between. In Mr. Castle's ten-
cent, the word Baltimore is dropped, and the
signature and value only are printed.

There is a one-cent red British Guiana,
issued in 1850, valued at \$2,500, and a pink
two-cent of the same year and country
valued at \$1,500. There are millionaire col-
lectors willing to pay \$2,000 for a blue two-
cent printed by the Hawaiian Government
in 1851.

POINTED OUT AS A SPY.

Fletcher's Counsel Accuses One of the
District Attorney's Employees
of Eaves Dropping.

The argument in the case of Victor S.
Fletcher, charged with having in his pos-
session the Stradivarius violin which was
stolen from Professor Jean Joseph Hoti,
was begun in General Sessions yesterday
morning. The case has occupied thirteen
days in the trial and will be given to the
jury this afternoon.

Mr. Palmer, for the defendant, spoke dur-
ing the morning hours and resumed his
argument after recess. He charged that a
court officer had been employed as an
eavesdropper to listen to his conversations
with his client in order to get evidence
against the defendant.

Recorder Goff appeared to be concerned
about the statement and remarked that if
the court officer was pointed out he would
at once suspend him. Shortly after Mr.
Palmer saw a man, and, pointing to him ex-
claimed: "There he is now."

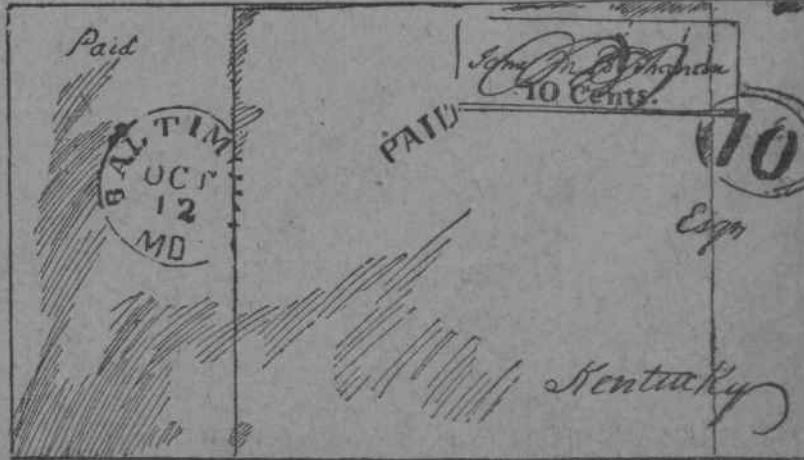
Court Officer McCabe informed the Court
that the person alluded to was not a court
officer, but an attaché of the District At-
torney's office. He was James Smith, an
attendant of Mr. Osborne. Further on in
his argument Mr. Palmer said he desired
it to be distinctly understood that he was
not to be intimidated by any Assistant Dis-
trict Attorney, and was not afraid to meet
Mr. Osborne in a baseball field or any other
place. He characterized Mr. Osborne as
being the most unfair man he had ever tried
a case against.

The Assistant District Attorney will sum
up this morning.



WRECK OF THE STEAMSHIP WYANOKE.

The Old Dominion liner fouled the United States cruiser Columbia Sunday night and sunk fifteen minutes later. The ves-
sel went down in sixty feet of water, and two persons are now believed to have perished. The scene of the disaster, off New-
port News, Va., is almost the exact spot where the Merrimac-Monitor fight took place during the civil war.



Fac-simile of the \$4,400 Postage Stamp.

It is called a "ten-cent Baltimore provisional," and is printed on white paper
and signed by the postmaster. It is the only one of that series known to be in
existence. W. A. Castle, a private collector, bought it recently at St. Louis stamp
dealers.